REGISTER

South Dakota Legislative Research Council

Volume 42 *Monday, 8:00 a.m., June 6, 2016*

FILINGS IN THE LEGISLATIVE RESEARCH COUNCIL'S OFFICE: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Education: Board of Education: (May 31, 2016) intends to amend Career and Technical Education rules to change the amount of the set-aside of projected state fees charged to students pledged for the payment of lease purchase agreements, increase the postsecondary technical institute (PTI) per student allocation to the level set for FY 2017 by the Legislature, transition PTI instructor credentialing from the Department of Education to the PTIs, provide guidance for the use of money to increase PTI instructor salaries; adopt a General State Aid rule to provide the annual deadline and requirements for school districts to report their educational structure data; and adopt Cooperation in Education rules to lay out the application process, guidelines, and criteria for the shared services grant program. The general authority for these rules, as cited by the board, is SDCL §§ 1-16A-94, 13-1-12.1, 13-3-51, 13-13-37.4, 13-13-90, 13-15-1.4, 13-39-13, 13-39-19, 13-39-37, 13-39-75, and 13-42-3.

A public hearing will be held at the MacKay Building, First Floor, Library Commons, 800 Governors Drive, Pierre, South Dakota, on June 20, 2016, at 9:00 a.m. CDT. Copies of the proposed rules may be obtained without charge from the Department of Education, Attn: Ferne Haddock, 800 Governors Drive, Pierre, South Dakota 57501 or at http://www.doe.sd.gov/board/index.aspx. Written comments may be sent to the board at the address above or at this website: https://rules.sd.gov/default.aspx. Material sent by mail must be received by June 17, 2016, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-3553 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Correction:

42 SDR 146, line 17 – ~~43:03:01:02~~ 41:03:01:02.

DEPARTMENT OF HEALTH: DIVISION OF HEALTH SYSTEMS DEVELOPMENT AND REGULATION: 44:75:08:03.

History-Notice:	42 SDR 139, April 4, 2016
Hearing:	April 25, 2016
Filed:	June 1, 2016
Effective:	June 21, 2016

DEPARTMENT OF HEALTH: DIVISION OF FAMILY AND COMMUNITY HEALTH: 44:20:01:04; 44:81:01:01; 44:81:02:01, 44:81:02:02; 44:81:03:01, 44:81:03:02; 44:81:04:01, 44:81:04:02; 44:81:05:01, 44:81:05:02; and 44:81:06:01.

History-Notice:	42 SDR 139, April 4, 2016
Hearing:	April 27, 2016
Filed:	June 1, 2016
Effective:	July 1, 2016

DEPARTMENT OF HEALTH: DIVISION OF HEALTH SYSTEMS DEVELOPMENT AND REGULATION: 44:05:01:01; 44:05:03:04, 44:05:03:05, 44:05:03:06.02, and

44:05:03:06.03.

History-Notice: 42 SDR 145, April 18, 2016
Hearing: May 4, 2016
Filed: June 1, 2016
Effective: July 1, 2016

PUBLIC UTILITIES COMMISSION:
20:10:39:01 to 20:10:39:60, inclusive.

History-Notice: 42 SDR 123, Feb. 29, 2016
Hearing: March 28, 2016
Filed: June 1, 2016
Effective: June 21, 2016

DEPARTMENT OF TRANSPORTATION:
70:01:02:00, 70:01:02:36, and 70:01:02:49.

History-Notice: 42 SDR 135, March 28, 2016
Hearing: April 28, 2016
Filed: June 3, 2016
Effective: June 23, 2016

Note: A copy of the rules may be obtained directly from the above agencies or at https://rules.sd.gov. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Revenue and Regulation, and the Department of Labor for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

6-16-2016	**Department of Human Services: Division of Developmental Disabilities** Adopt rules to implement the Center for Medicare and Medicaid Services' (CMS) regulations mandating conflict-free case management and to implement the current state law allowing for-profit and not-for-profit organizations to provide case management services to individuals with intellectual disabilities. The rules provide additional guidance on the administration of drugs for the control of behavior and for sedation as prescribed by a licensed medical professional, on time alone, on prohibition of time out rooms, on the use of person centered planning in the individualized service plan, on the role and responsibilities of a case manager, and on the use of advisory boards by entities that are organized outside of the state of South Dakota. The rules will also correct grammar and punctuation; 42 SDR 169, May 31, 2016.
6-17-2016	**Department of Health: State Board of Dentistry** Amend rules to update the declaratory ruling process, repeal obsolete provisions, and update collaborative supervision requirements; 42 SDR 159, May 16, 2016.
6-20-2016	**Department of Education: Board of Education** Amend Career and Technical Education rules to change the amount of the set-aside of projected state fees charged to students pledged for the payment of lease purchase agreements, increase the postsecondary technical institute (PTI) per student allocation to the level set for FY 2017 by the Legislature, transition PTI instructor credentialing from the Department of Education to the PTIs, provide guidance for the use of money to increase PTI instructor salaries; adopt a General State Aid rule to provide the annual deadline and requirements for school districts to report their educational structure data; and adopt Cooperation in Education rules to lay out the application process, guidelines, and criteria for the shared services grant program; 42 SDR 173, June 6, 2016.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held on Tuesday, July 12, 2016, in Room 414, Fourth Floor of the State Capitol. The committee chair has set the following meeting schedule for the 2016 Interim: August 22, September 26, and November 14.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the LRC website at http://www.sdlegislature.gov/Rules/RulesManual.aspx.

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